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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,380	12/09/2003	Heng-Chien Chen	TRAP0002USA	1379
27765	7590	09/12/2007		
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION			EXAMINER	
P.O. BOX 506			AGA, SORI A	
MERRIFIELD, VA 22116				
			ART UNIT	PAPER NUMBER
			2616	
			NOTIFICATION DATE	DELIVERY MODE
			09/12/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b> 10/707,380	<b>Applicant(s)</b> CHEN, HENG-CHIEN	
	<b>Examiner</b> Sori A. Aga	<b>Art Unit</b> 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 December 0203 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                     | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/09/2003</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

1. Claim 5 objected to because of the following informalities: the phrase 'the second device' is misleading since there is no second device mentioned in claims 2. Appropriate correction is required. Since the first mention of second device in first group is in claim 3, examiner treats claim 5 as reading 'The roaming LAN of claim 3...'.  
Claim 5 is considered on its merits according to the above assumption.

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1-3, 5, 11, 12 rejected under 35 U.S.C. 102(b) as being anticipated by Kelly (US 6,347,085) (herein after Kelly).

Claim 1: Kelly teaches a first IP sharing device (Gateway 218 A) [fig. 2] for sharing connection to an IP address. Kelly teaches the IP address can be dynamically assigned. [Column 14 lines 46-47]. Kelly also teaches a group of devices connected to the gateway (232B, 214B, 214 of fig. 2).

Kelly also teaches a second group IP sharing device (Gateway 218D) [fig. 2] which is connected to a second group of devices. Kelly teaches that each caller

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and callee using the devices to make phone calls have their own IP address [column 8 line 26].

Kelly also teaches a host (WebPhone client) connected to the Internet via a LAN-based network connector (column 7 lines 9-10). Kelly teaches the WebPhone client (host) can have a fixed (static) IP address. The WebPhone client is capable of controlling data traffic (resolving IP addresses, offer calls for the right gateway) [column 14 lines 36-45].

Claim 2: All the limitations of claim 1 are included in claim 2. Kelly teaches all the limitations of claim 1 as discussed above. Regarding the first device of the first group of devices being a telephone; Kelly further teaches that first device connected to the first Gateway is a telephone (214) [figure 2] [column 6 lines 35-36].

Claim 3: All the limitations of claim 2 are included in claim 3. Kelly teaches all the limitations of claim 2 as discussed above. Kelly further teaches a second network device (232B) [figure 2] is directly connected to the telephone.

Claim 5: All the limitations of claim 2 are included in claim 5. Kelly teaches all the limitations of claim 2 as discussed above. Kelly further teaches that device 232B of figure 2 can be an Internet phone (column 7 line 39). The WebPhone can be implemented on a personal computer system. [Column 47-48]

Regarding claims 11 and 12: All the limitations of claim 2 are included in claims 11 and 12. Kelly teaches all the limitations of claim 2 as discussed above.

Regarding the host comprising a PBX and a server; Kelly teaches that telephones

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232A and 232B of fig. 2 are connected to the Internet via a PBX. [Column 6 line 56 ]. The host also included a Global DNS server (252) [fig. 2] [column 6 line 57].

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly as applied to claims 1-3, 5, 11 and 12 above, in view of Stoutenburg et al (US 20020166891).

Claim 4: All the limitations of claim 3 are included in claim 4. Kelly teaches all the limitations of claim 3 as discussed above regarding claim 3. However, Kelly doesn't explicitly teach that the telephone comprises an RJ45 connector for connecting to the second device and to the IP sharing device that are capable of functioning according to the IEEE 802.3 protocol. However, Stoutenburg, in the same field of endeavor (devices connected to a communication network) teaches that the devices that are connected to the network can be interfaced with different kinds of interfaces including RJ45 [0091 line 5].

Therefore, it would have been obvious for a person having ordinary skill in the art to make the telephone mentioned in Kelly to include a RJ45 connector that is

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capable of functioning according to IEEE802.3. A person having ordinary skill in the art would consider this an advantage since said connector along with said standard are used in the art and therefore, they would be useful to include in the said telephone to make it compatible with systems already available in the art.

3. Claims 6,8 and 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly as applied to claims 1-3, 5, 11 and 12 above, in view of Eglin (US 2003/0210671 A1) (herein after Eglin).

Claim 6: Rai teaches the first IP sharing device is a Gateway. However, Kelly does not explicitly teach the gateway can be a hub or switch. However, Eglin, in the same field of endeavor, teaches a switch (118) [fig. 1] connected to multiple devices (access points). It would have been obvious at the time of the invention for a person having ordinary skill in the art to include a switch in the gateway of Kelly in order to maintain association tables and other switching functions.

Claims 8 and 9: All the limitations of claim 2 are included in claim 8. Kelly teaches all the limitations of claim 2 as discussed above. However, Kelly does not explicitly teach the Gateway (IP sharing device) is connected to a wireless access point according to an IEEE 802.11x protocol. However, Eglin teaches the switch is connected to multiple access points (106-116) [fig. 1] with 802.11b capability. It would have been obvious at the time of the invention for a person having ordinary skill in the art to include a wireless access point with IEEE802.b

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capability in Kelly's network in order to take advantage of their low cost, low risk and extensible technology suited to address many of the art's challenges [0004 lines 9-15].

4. Claims 7 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly and modified by Eglin as applied to claims 6,8 and 9 above and further in view of Stoutenburg (US 2002/0166891) (herein after Stoutenburg).

Claim 7: All the limitations of claim 3 are included in claim 4. Kelly teaches all the limitations of claim 3 as discussed above regarding claim 3. However, Kelly doesn't explicitly teach that the telephone comprises an RJ12 connector for connecting to the second device and to the IP sharing device that are capable of functioning according to the IEEE 802.3 protocol. However, Stoutenburg, in the same field of endeavor (devices connected to a communication network) teaches that the devices that are connected to the network can be interfaced with different kinds of interfaces including RJ12 [0096 line 3].

Therefore, it would have been obvious for a person having ordinary skill in the art to make the telephone mentioned in Kelly to include an RJ12 connector that is capable of functioning according to IEEE802.3. A person having ordinary skill in the art would consider this an advantage since said connectors along with said standard are commonly used in the art and therefore, they would be useful to include in the said telephone to make it compatible with systems already available in the art.

Claim 10: Kelly teaches the telephone is connected to the computer and IP sharing device as discussed above. However Kelly does not specifically teach the connectors used can be one of the alternatively listed in claim 10. However, Stoutenburg teaches the device can have interfaces including PCMIA interface and USB interface. Kelly also teaches other interface types can also be used. [0090 lines 4-8]. Therefore, it would have been obvious at the time of the invention to use one of the mentioned interfaces in order to take advantage of each interface type's convenient features. For example, a person having ordinary skill in the art would recognize USB ports' convenience in hot swapping, and allowing devices to be used without requiring device drivers.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sori A. Aga whose telephone number is (571) 270-1868. The examiner can normally be reached on M-Th 7:30-5:00, F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

S.A.



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